

Appendix 1



Lic No:
151866

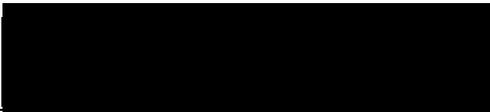
**Wicked Fish
Queens Yard
White Post Lane
London
E9 5EN**

Licensable Activities authorised by the licence

The provision of late-night refreshment
The sale by retail of alcohol

See the attached licence for the licence conditions

Signed by

David Tolley 
Head of Trading Standards & Environmental Health

**Date: 21st December 2021
Variation 25th April 2022
Variation 7th December 2022**

OFFICE USE	Receipt No: 069558	Paid: 190	Date: 19/03/2022
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Part A - Format of premises licence

Premises licence number

151866

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Queens Yard
White Post Lane

Post town

Post code

London

E9 5EN

Tele hone number

Tel [REDACTED]

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The provision of late-night refreshment (Outside and Inside)

The sale by retail of alcohol (on sales only)

The times the licence authorises the carrying out of licensable activities

Late Night Refreshment

Sunday to Thursday from 23:00 -01:00 HRS

Friday to Saturday from 23:00 - 04:00 HRS

Non-standard timing

Christmas Eve and New Year's Eve

Christmas Eve and Christmas Day 23:00 hours to 05:00 hours

New Years Eve 23:00 hours to 05:00 hours (the day following), New Year's Day 23:00 hours to 05:00 hours

The sale by retail of alcohol **(on sales only)**

Monday to Sunday 12:00 – 23:00 hours

The opening hours of the premises

Sunday – Thursday from 06:00 hours to 01:30 hours

Friday -Saturday from 06:00 hours to 04:30 hours

Non-standard timing

Christmas Eve and Christmas Day 23:00 hours to 05:00 hours

New Years Eve 23:00 hours to 05:00 hours (the day following), New Year's Day 23:00 hours to 05:00 hours

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Not applicable

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Wicked Fish Ltd
19 Mallard Close
Hackney Wick
London
E9 5JL

Registered number of holder, for example company number, charity number (where applicable)

13463506

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Michal K Gasior



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number: [Redacted]

Issuing authority: [Redacted]

Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

1.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 3.
- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

5. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$
 where —
 - (i) **P** is the permitted price
 - (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence
 - (i) the holder of the premises licence
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, such individuals must be licensed with the Security Industry Authority.

This does not apply to premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001, (premises with premises licences authorising plays or films), or in respect of premises in relation to-
any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
any occasion within paragraph 8(3)(d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

Security activity means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 of that schedule applies, and
Paragraph 8(5) of Schedule 2 (interpreting of references to an occasion) applies as it applies in relation to paragraph 8 of Schedule 2 of the Private Security Industry Act 2001

Annex 2 - Conditions consistent with the operating Schedule

1. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any visit by a relevant authority or emergency service.

2. In the event that a serious assault is committed on the premises (or appears to have been committed) the management if safe to do so, will immediately ensure that:
 - a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - d) such other measures are taken (as appropriate) to fully protect the

safety of all persons present on the premises.

3. All outside tables and chairs shall be rendered unusable by (00:00) Sunday to Thursday and (03:30) Friday to Saturday.
4. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly
5. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
6. Three (3) people working at all times at the venue.
7. One (1) SIA door supervisor shall be employed on the premises Fridays and Saturdays.
8. Intoxicating liquor shall not be supplied on the premises other than to persons taking table meals there and for consumption by such a person as an ancillary to their meal.
9. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served on the premises.
10. No vertical drinking on the premises.
11. Sales of alcohol will only be made when a personal licence holder is present at the premises.
12. All Staff members engage, or to be engaged in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard to Age Restricted Sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs.
13. All such training is to be fully documented and signed by not only the employee but the person delivering the training. Training records shall be kept at the premises and made available upon request to either the Police Officers or an authorised officer of Tower Hamlets Council.
14. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale, and the name of the member of staff

- who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of Tower Hamlets Council at all times whilst the premises is open.
15. A “Challenge 25” Proof of Age Scheme shall be operated at the premises where the only acceptable forms of identification are; recognised photographic identification cards, such as driving licence, passport or proof of age card with PASS Hologram.
 16. Signage advertising the aforementioned proof of age scheme shall be prominently displayed throughout the premises with a particular emphasis on the alcohol display and the service areas.
 17. Spirits will not be sold. It is to be noted that the type of alcohol to be supplied on the premises include; light beer, sparkling and house wines, and prosecco. Spirits will not be sold.

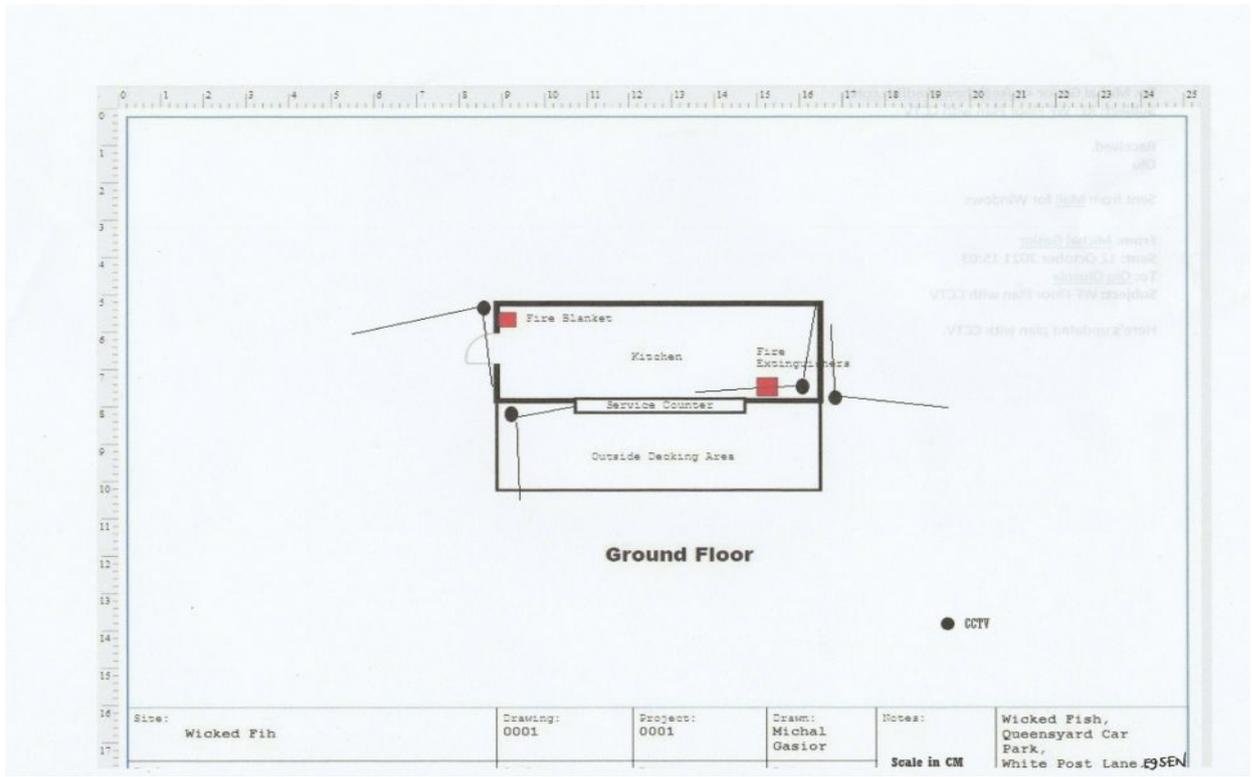
Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:

22nd November 2021 (*Ground floor plan drawing number 0001.*)





Part B - Premises licence summary

Premises licence number

151866

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Wicked Fish
Queens Yard, White Post Lane

Post town

London

Post code

E9 5EN

Telephone number

Tel: 07899864675
Email: info@thewickedfish.com

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The provision of late-night refreshment
The sale by retail of alcohol(on sales only)

The times the licence authorises the carrying out of licensable activities

Late Night Refreshment

Sunday to Thursday from 23:00hrs -01:00hrs
Friday to Saturday from 23:00 - 04:00hrs

Non-standard timing

Christmas Eve and New Year's Eve
Christmas Eve and Christmas Day 23:00
hours to 05:00 hours
New Years Eve 23:00 hours to 05:00 hours
(the day following), New Year's Day 23:00
hours to 05:00 hours

	<p>The sale by retail of alcohol <u>(on sales only)</u> Monday to Sunday 12:00 – 23:00 hours</p>
<p>The opening hours of the premises</p>	<p>Sunday to Thursday from 06:00hrs -01:30hrs Friday to Saturday from 06:00 - 04:30hrs</p> <p>Non-standard timing Christmas Eve and Christmas Day 23:00 hours to 05:00 hours New Years Eve 23:00 hours to 05:00 hours (the day following), New Year's Day 23:00 hours to 05:00 hours</p>
<p>Name, (registered) address of holder of premises licence</p>	<p>Wicked Fish Ltd 19 Mallard Close Hackney Wick London E9 5JL</p>
<p>Where the licence authorises supplies of alcohol whether these are on and / or off supplies</p>	<p>Not applicable</p>
<p>Registered number of holder, for example company number, charity number (where applicable)</p>	<p>13463506</p>
<p>Name of designated premises supervisor where the premises licence authorises for the supply of alcohol</p>	<p>Michal Gasior</p>
<p>State whether access to the premises by children is restricted or prohibited</p>	<p>No restrictions</p>

Appendix 2



* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Continued from previous page...

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

Continued from previous page...

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

- 1. TO AMEND OPERATIONAL HOURS
- 2. TO AMEND/REMOVE CERTAIN CONDITIONS

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

- Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

- Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="05:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="05:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

LIGHT BACKGROUND UNAMPLIFIED MUSIC INSIDE THE PREMISES.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

SAME AS IN EXISTING LICENCE

Continued from previous page...

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

SAME AS IN EXISTING LICENCE

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

CONDITIONS NO.3, & NO 7 TO BE AMENDED.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

A COPY OF THE PREMISES LICENCE IS ATTACHED

Section 16 of 18

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Continued from previous page...

The Premises will continue to comply with the conditions on the existing licence for the promotion of the licensing objectives. The proposed variation is as a result of catering for the demand from patrons. On Fridays and Saturdays, additional measures will be put in place including ticketing to ensure orderliness in picking up food and orders. We are proposing to amend Condition No.3 to read "All outside tables and chairs shall be rendered unusable by 00:00 hrs Sunday to Thursday, and 04:30 hrs Friday and Saturday. SIA registered door supervisors will also ensure anti-social behaviour is prevented or curtailed.

b) The prevention of crime and disorder

Condition No.7 to be amended with the additional words "Until 30 minutes after the cessation of licensable activities " The Premises Licence Holder will keep under review the need for any additional SIA Supervisors on Friday and Saturday. Management will ensure staff members are adequately trained on anti-violent strategies to prevent disorderly conduct, or any kind of anti-social behavior. The Premises Licence Holder will adopt a drug policy and ensure staff are trained on this.

c) Public safety

Premises Licence Holder will keep under review the need for any additional SIA Supervisors on Friday and Saturday. Personal Safety Notices to be displayed to customers and information on various modes of available transportation.

d) The prevention of public nuisance

Prominent notices will be displayed near the exit routes requesting customers to leave promptly and quietly. Customers will be reminded to have respect for the neighbors of other adjoining business premises. Info on cab, bus , and train to be given to customers to assist in gradual dispersal from the premises after closing. The Premises Licence shall prepare a dispersal policy and staff will be trained on this. Incident record book shall continue to be kept and maintained on the premises.

e) The protection of children from harm

A 'Challenge 25' shall be adopted as the age verification policy at the premises. The premises will not allow unaccompanied children on the premises. Any unaccompanied child below 16 will not be served after 9pm. refusals shall be documented and record of refusals will record the date, time of refusal, and the name of the staff that refused the sale. Training records shall be kept on the premises and made available on request by the Police or authorised officers of the Licensing Authority. The premises will not allow unaccompanied children on the premises.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

NOTE: From 1st January 2018 Licences if you are granted a Licence to permit the sale/supply of alcohol between midnight and 6am (00:00 and 06:00 hours) on any day you will be liable to pay the Late Night Levy charge. The charge must be paid 14 days after the grant of your Licence, unless you fall within one of the exemption categories. Non-payment of the levy can result in suspension of your licence, as per sections 55A and 92A of the Licensing Act 2003, as amended and section 229(6) of the Police and Social Responsibility Act 2011. For more information below visit <https://www.towerhamlets.gov.uk/latenightlevy>

* Fee amount (£)

190.00

DECLARATION

1

Continued from previous page...

I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/tower-hamlets/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

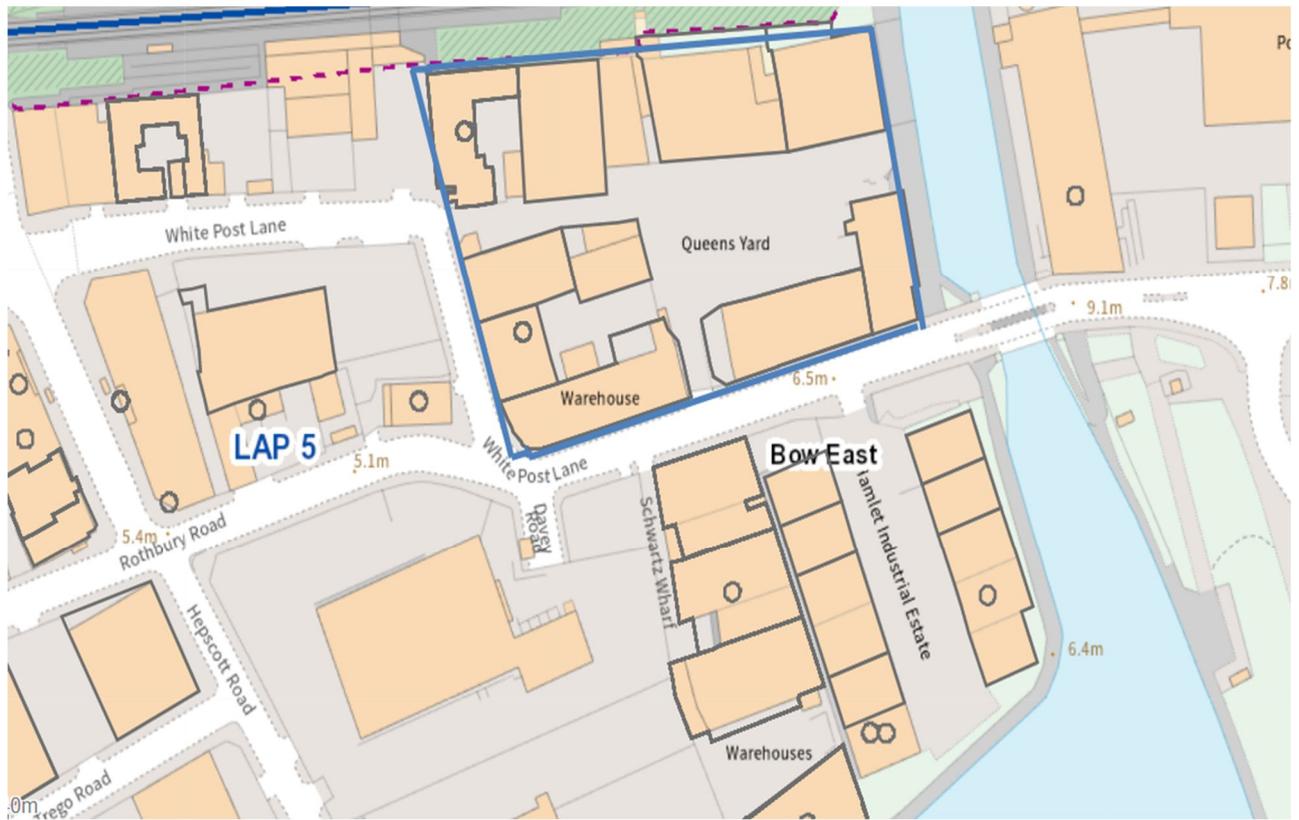
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Appendix 3

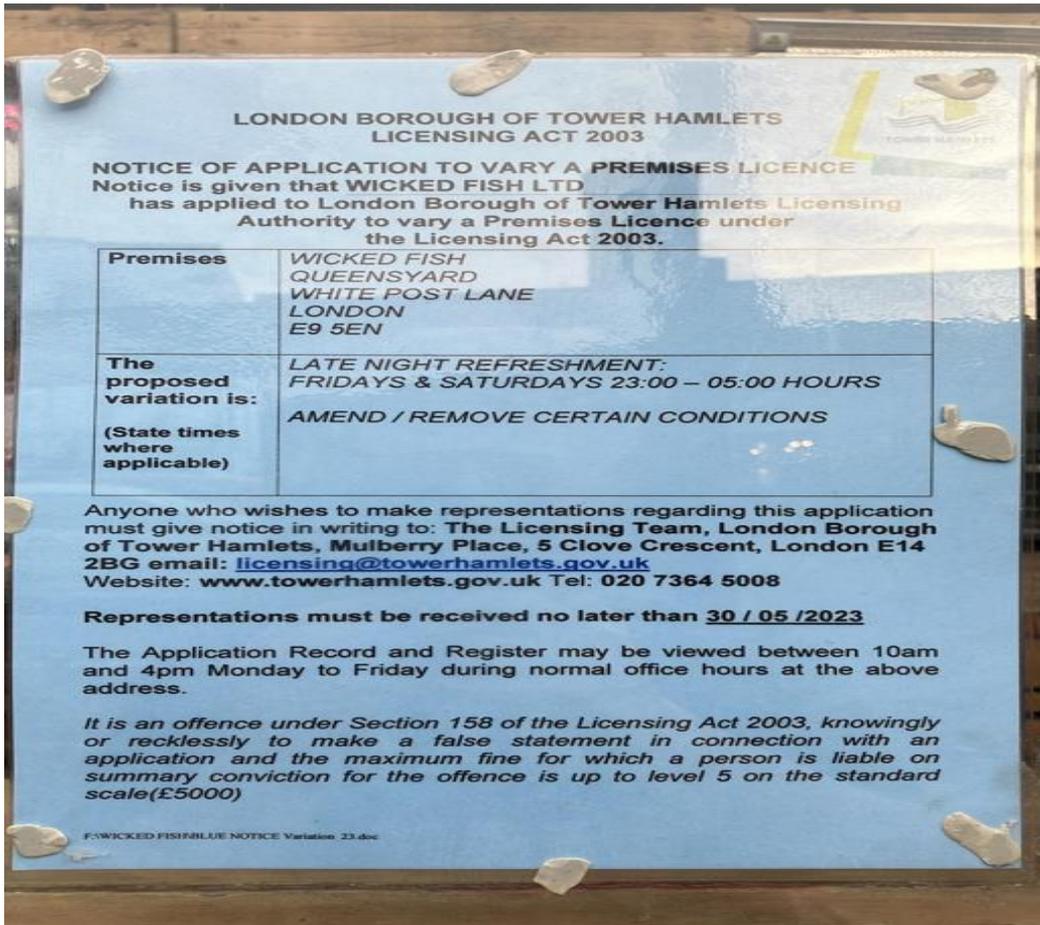
Wicked Fish -Queens Yard White Post Lane E9 5EN – Map of surrounding area



Appendix 4

Wicked Fish – Images of the premises and surrounding area





Appendix 5

(Wicked Fish) Queens Yard - Nearby licensed premises

Name and address	Licensable activities	Opening times
<p>Crate Bar & Pizzeria) White Building Unit ,7 Queens Yard White Post Lane London E9 5EN</p>	<p>The times the licence authorises the carrying out of licensable activities</p> <p>Sale by retail of alcohol (on and off sales)</p> <ul style="list-style-type: none">Monday to Wednesday, from 09:00 hours to 23:30 hoursThursday to Sunday, from 09:00 hours to 01:30 hours the following days <p>The provision of late night refreshment – Indoors</p> <ul style="list-style-type: none">Monday to Wednesday, from 23:00 hours to 23:30 hoursThursday to Sunday, from 23:00 hours to 01:30 hours the following days <p>The provision of regulated entertainment – Indoors and outdoors Plays, Films,</p> <ul style="list-style-type: none">Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight)Thursday to Sunday, from 09:00 hours to 02:00 hours the following days <p>Live Music, recorded music (outside only until 21:00 hours)</p> <ul style="list-style-type: none">Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight)Thursday to Sunday, from 09:00 hours to 02:00 hours the following days <p>Performance of dance</p> <ul style="list-style-type: none">Monday to Wednesday, from 09:00 hours to 23:30 hoursThursday to Sunday, from 09:00 hours to 01:30 hours the following days <p>On and off sales</p>	<ul style="list-style-type: none">Monday to Wednesday, from 09:00 hours to 00:00 hours (midnight)Thursday to Sunday, from 09:00 hours to 02:00 hours the following days

(Wicked Fish) Queens Yard - Nearby licensed premises

<p>Gorilla Technologies Ltd Unit 4a, Queens Yard 43 White Post Lane London E9 5EN</p>	<p>The sale by retail of alcohol Monday to Sunday from 08:00 hours to 00:00 hours</p> <p>Off sales only</p>	<p>Monday to Sunday from 08:00 hours to 00:00 hours</p>
<p>(Colour Factory) Unit 8a, Queens Yard White Post Lane London E9 5EN</p>	<p>The sale by retail of alcohol The provision of regulated entertainment (consisting of plays, films, indoor sporting events, performance of dance, live & recorded music & anything of similar description) The provision of late night refreshment</p> <p>The sale by retail of alcohol (on & off sales)</p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:00 hours • Friday & Saturday 09:00 hours to 03:30 hours the following day • Sunday 09:00 hours to 00:00 hours (midnight) <p>The provision of late night refreshment – Indoors and outdoors</p> <ul style="list-style-type: none"> • Friday and Saturday, from 23:00 hours to 02:00 hours the following day <p>The provision of regulated entertainment <u>(Plays, Performances of Dance) – indoors</u></p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours • Friday & Saturday 09:00 hours to 04:00 hours (the following day) • Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>(Films) - indoors</u></p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours • Friday & Saturday, from 09:00 hours to 04:00 hours the following day 	<ul style="list-style-type: none"> •Monday to Thursday 09:00 hours to 23:30 hours •Friday & Saturday 09:00 hours to 04:00 hours (the following day) •Sunday, from 09:00 hours to 00:00 hours (midnight) <p>Non-standard timings: For the 20 occasions per year for Live music, recorded Music, later night refreshment until 02:30 am, closing at 03:00 am, including the New Year’s Eve closing at 04:00 am that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the Licensing Objectives will not be met, have the right to refuse an event.</p>

(Wicked Fish) Queens Yard - Nearby licensed premises

- Sunday 09:00 hours to 00:00 hours (midnight)

(Indoor Sporting Event)

- Monday to Thursday, from 09:00 hours to 23:30 hours
- Friday & Saturday 09:00 hours to 04:00 hours (the following day)
- Sunday, from 09:00 hours to 00:00 hours (midnight)

Live Music & Recorded Music (indoors & outdoors) – Live music cease 23:00 hours outside)

- Monday to Thursday 09:00 hours to 23:30 hours
- Friday & Saturday 09:00 hours to 04:00 hours (the following day)
- Sunday 09:00 hours to 00:00 hours (midnight)

Anything of a similar description to Live Music, Recorded Music or Performance of Dance – indoors and outdoors

- Monday to Thursday 09:00 hours to 23:30 hours
- Friday & Saturday 09:00 hours to 04:00 hours (the following day)
- Sunday, from 09:00 hours to 00:00 hours (midnight)

Non-standard timings:

- For the 20 occasions per year for Live music, recorded Music, late night refreshment until 02:30 hours the following day, closing at 03:00 hours the following day, including the New Year's Eve closing at 04:00 hours the following day that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the Licensing

(Wicked Fish) Queens Yard - Nearby licensed premises

	<p>Objectives will not be met, have the right to refuse an event.</p> <p>On and off sales</p>	
<p>Old Street Brewery) Unit 1, Queens Yard White Post Lane Hackney Wick</p>	<p>The sale by retail of alcohol – On and off sales</p> <ul style="list-style-type: none"> Monday to Sunday, from 10:00 hrs to 00:00 hrs (midnight) <p>The provision of late-night refreshments – Indoors and outdoors</p> <ul style="list-style-type: none"> Sunday to Wednesday, from 23:00 hrs to 23:30 hrs Thursday to Saturday, from 23:00 hrs to 00:00 hrs (midnight) <p>The provision of regulated entertainment – Indoors and outdoors <u>(Recorded Music only)</u></p> <ul style="list-style-type: none"> Sunday to Wednesday, from 10:00 hrs to 00:00 hrs (midnight) Thursday to Saturday, from 12:00 hrs to 00:30 hrs the following day <p>On and off sales</p>	<ul style="list-style-type: none"> Sunday to Wednesday, from 10:00 hrs to 00:00 hrs (midnight) Thursday to Saturday, from 10:00 hrs to 00:30 hrs the following day
<p>(The Brewshed) Unit 14A Queens Yard 43 White Post Lane London E9 5EN</p>	<p>The Supply of Alcohol (both on and off premises)</p> <ul style="list-style-type: none"> Sunday to Thursday from 09:00hrs to 23:30hrs Friday to Saturday from 09:00hrs to 00:30hrs (the following day) <p>Late Night Refreshment (indoors)</p> <ul style="list-style-type: none"> Sunday to Thursday from 23:00hrs to 23:30hrs Friday to Saturday from 23:00hrs to 00:30hrs (the following day) <p>Regulated Entertainment in the form of Plays (indoors) the Provision of Films (indoors), the Provision of Indoor Sporting Events (indoors) the Provision of Live Music (indoors), the Provision of Recorded Music (indoors)</p>	<ul style="list-style-type: none"> Sunday to Thursday from 09:00hrs to 00:00hrs midnight) Friday to Saturday from 09:00hrs to 01:00hrs (the following day)

(Wicked Fish) Queens Yard - Nearby licensed premises

	<p>and Provisions of Performance of Dance</p> <ul style="list-style-type: none"> • Sunday to Thursday from 09:00hrs to 23:00hrs • Friday to Saturday from 09:00hrs to 00:00hrs (midnight) <p>Non-Standard Timings</p> <ul style="list-style-type: none"> • The premises can have 25 non-standard timings a year. These timings will extend the licensed hours to 02:00 <p>On and off sales</p>	
<p>The Yard Theatre) Unit 2a Queens Yard White Post Lane London E9 5EN</p>	<p><u>The supply of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight) • Thursday from 12:00hrs (midday) 02:00hrs (the following day) • Friday to Saturday from 12:00hrs (midday) to 03:00hrs (the following day) <p><u>The provision of regulated entertainment in the form of plays (indoors), films (indoors), performances of dance (indoors)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 12:00hrs (midday) to 23:00hrs <p><u>The provision of regulated entertainment in the form of live music (indoors), recorded music (indoors)</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 18:00hrs to 00:00hrs (midnight) • Thursday from 18:00hrs to 02:00hrs (the following day) • Friday to Saturday from 18:00hrs to 03:00hrs (the following day) <p><u>The provision of late night refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 23:00hrs to 00:00hrs (midnight) • Thursday from 23:00hrs to 02:00hrs (the following day) • Friday to Saturday from 23:00hrs to 03:00hrs (the following day) 	<ul style="list-style-type: none"> • Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight) • Thursday from 12:00hrs (midday) to 02:00hrs (the following day) • Friday to Saturday from 18:00hrs to 03:00hrs (the following day) <p><u>Non-Standard Times</u></p> <ul style="list-style-type: none"> • 40 nights per year opening times and licensable activities extended until 6am

(Wicked Fish) Queens Yard - Nearby licensed premises

	<p><u>Non-Standard Times (supply of alcohol, late night refreshment and recorded music only)</u></p> <ul style="list-style-type: none"> • 40 nights per year opening times and licensable activities extended until 6am • On sales only 	
<p>(O'Donnell Moonshine Ltd) Unit 9C (I) 2nd Floor Queens Yard 43 Whitepost Lane London E9 5EN</p>	<p>The sale by retail of alcohol Monday to Friday from 10:00 hours to 19:00 hours</p> <p>Off sales only</p>	<p>The premises are closed to the public</p>
<p>(O'Donnell Moonshine Ltd) Unit 9C (F) Queens Yard White Post Lane London E9 5EN</p>	<p>Sale by retail of alcohol (off sales)</p> <ul style="list-style-type: none"> • Monday to Friday, from 10:00 to 18:30 	<p>The premises are closed to the public</p>
<p>Howling Hops Unit 9 Queens Yard White Post Lane London E9 5EN</p>	<p>The sale by retail of alcohol The provision of regulated entertainment</p> <p><u>The Supply of Alcohol (both on and off premises)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs (midday) to 23:00hrs • Friday to Saturday from 12:00hrs Midday) to 01:30hrs <p><u>Provision of Regulated Entertainment: Plays, Films, Indoor Sporting Events, Live Music (indoors), Recorded Music (indoors), Performance of Dance, Anything of a similar Description</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs (midday) to 23:00hrs • Friday and Saturday from 12:00hrs (midday) to 01:30hrs <p><u>The Provision of Late Night Refreshments</u></p> <ul style="list-style-type: none"> • Friday and Saturday 23:00hrs – 0200hrs <p>On and off sales</p>	<ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs to 23:30hrs • Friday to Saturday from 12:00hrs to 02:00hrs (the following day)

Appendix 6

Section 182 Advice by the Home Office Updated on December 2022

Relevant, vexatious and frivolous representations

9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.

9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.

9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this

Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

Appendix 7

Lavine Miller-Johnson

Subject: FW: Objection Variation Wicked Fish
Attachments: Wicked fish, Queens Yard; Re: Wicked Fish, Queens Yard, Whitepost Lane, London E9 5EN; FW: Licensing Enquiry - ; Review Wicked Fish Final.pdf

From: MARK [REDACTED]
Sent: Wednesday, April 26, 2023 8:21 PM
To: Licensing <Licensing@towerhamlets.gov.uk>; [REDACTED]
Cc: Nicola Cadzow <[REDACTED]>
Subject: Objection Variation Wicked Fish

Dear all,

Central East Police Licensing formally object to the application to vary the premises license of Wicked Fish to extend their hours. The objection is on the grounds of preventing Crime and Disorder and Public Nuisance.

We the Police have submitted an application to review the existing license of Wicked Fish due to the premises consistently being open past its hours, and failing to abide by the conditions of its license.

The premises being open so late also prevents the quick dispersal of customers of other venues when they close s people loiter to buy food. When people leave venues in the early hours of the morning having been drinking they are much more likely to be involved in alcohol related crime and disorder as their decision making is impaired.

We also know that criminals including drug dealers hang around when venues when they close looking to sell drugs, and we also know that people are bringing weapons to the area. The longer people take to disperse and get home safely the greater the risk of them being involved in crime, sometimes sadly, with tragic consequences.

Allowing this premises that has already demonstrated a blatant disregard for its obligations under the licensing act will only undermine the licensing objectives.

I attach a copy of the review against Wicked Fish and supporting documents in support of our objection.

If you have any questions please feel free to contact me.

Mark



PC Mark Perry
Central East Licensing Unit
Metropolitan Police Service (MPS)

[REDACTED]



**Place Directorate
Public Realm**

Environmental Health & Trading Standards

Head Of Service **David Tolley**

Licensing Officer - Licensing and Safety
Environmental Health and Trading Standards
Place Directorate
2nd Floor, Mulberry Place
5 Clove Crescent
London
E14 2BG

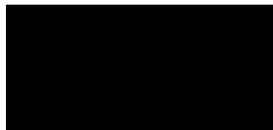
Tel **020 7364 5171**

Fax **020 7364 0863**

Enquiries to **Kath Driver**

Email [REDACTED]

Michal Gasior



14th October 2021

My reference P/PR/EHTS/LIC/107561

Dear Sir,

Licensing Act 2003 Section 136

Premises: Wicked Fish, Queens Yard, Whitepost Lane, London E9 5EN

This Authority has been notified by the Police that on a number of occasions you have been warned regarding serving hot food/hot drinks beyond 11pm without an authorisation.

Council records how you do not have any authorisation for the activity

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation. The ACT covers;

- 1) the sale by retail of alcohol (off or on sales)
- 2) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (or permitted guest)
- 3) the provision of regulated entertainment (with or without a licence to sell alcohol)
- 4) **the provision of late night refreshment (selling meals and hot drinks after 23:00 hours and before 05:00 hours)**

A person guilty of an offence under section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine.

You are advised to cease the unauthorised licensing activity with immediate effect.

For further advice please contact your legal representative. Licence application forms and further details are available upon request from the Licensing Authority, please contact our hotline on 0207 364 5008 or visiting our website:

www.towerhamlets.gov.uk/licensing

Yours sincerely



Kathy Driver
Principal Licensing Officer

Cc Licensing Police: cemailbox-.towerhamletslicensing@met.police.uk

Lavine Miller-Johnson

From: mike [REDACTED]
Sent: 14 October 2021 20:44
To: Kathy Driver
Cc: CEMailbox-.TowerHamletsLicensing@met.police.uk
Subject: Re: Wicked Fish, Queens Yard, Whitepost Lane, London E9 5EN

I understand I won't cause any more trouble. It was never my intention. Tomorrow I'm meeting the consultant who will help me with correct licence application process. I hope I didn't overstep.

Kind regards
Michal Gasior

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From: Kathy Driver <[REDACTED]>
Sent: Thursday, October 14, 2021 5:01:11 PM
To: Michal Gasior <[REDACTED]>
Cc: CEMailbox-.towerhamletslicensing@met.police.uk <CEMailbox-.towerhamletslicensing@met.police.uk>
Subject: RE: Wicked Fish, Queens Yard, Whitepost Lane, London E9 5EN

Dear Mr. Gasior,

Thank you for email, I must however remind you that a licence is required for hot food or hot drink after 11pm not midnight. You should also note that the hours relate to the time when you stop supply not the sale of, therefore you must cease any supply/serving of hot or hot drinks by 11pm.

Kind Regards,

Kathy Driver

Principal Licensing Officer
Licensing & Safety Team
Place Directorate
London Borough of Tower Hamlets
Mulberry Place
5 Clove Crescent
London E14 2BG

[REDACTED]
Licensing Hotline **020 7364 5008**

Licensing General Email: licensing@towerhamlets.gov.uk

Please visit our web page for application forms and guidance at

www.towerhamlets.gov.uk/licensing

www.towerhamlets.gov.uk

Follow us on: [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)

From: Michal Gasior [REDACTED]
Sent: 14 October 2021 16:40
To: Kathy Driver <[REDACTED]>
Subject: Re: Wicked Fish, Queens Yard, Whitepost Lane, London E9 5EN

Dear Kathy I might have stayed a tad open longer because there was a massive crowd ordering food from me due to festival but we didn't serve anyone last midnight. Moving forward I'm in the process of applying for late night licence and in the meantime I'll do my best to control the queue better.

Sincerely yours

Michal Gasior

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From: Kathy Driver <[REDACTED]>
Sent: Thursday, October 14, 2021 3:56:32 PM

To: Michal Gasior <[REDACTED]>

Subject: Wicked Fish, Queens Yard, Whitepost Lane, London E9 5EN

Please find attached letter in regards to your premises. The original will be posted to your home address. Please note if any further offences are witnessed you maybe liable to prosecution and this will be taken into consideration upon any application made for a premises licence by you.

Kind Regards,

Kathy Driver

Principal Licensing Officer

Licensing & Safety Team

Place Directorate

London Borough of Tower Hamlets

Mulberry Place

5 Clove Crescent

London E14 2BG

[REDACTED] 4 5008

Licensing General Email: licensing@towerhamlets.gov.uk

Please visit our web page for application forms and guidance at

www.towerhamlets.gov.uk/licensing

www.towerhamlets.gov.uk

Follow us on: [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)

Lavine Miller-Johnson

From: MARK [REDACTED] on behalf of CEMailbox-.TowerHamletsLicensing@met.police.uk
Sent: 06 March 2023 07:57
To: MARK [REDACTED]
Subject: FW: Licensing Enquiry -

From: Michal Gasior <[REDACTED]>
Sent: 22 February 2023 11:43
To: Rice Michael - CE-CU [REDACTED]
Cc: Perry Mark J - CE-CU <[REDACTED]> Giles Sian - CE-CU [REDACTED]
Subject: Re: Licensing Enquiry -

Thank you I'll do it. I only wish I could get somehow educated on how to properly run incident record book.

What do I write down? Date, time, yes but description of customer as well? Only now I've found there's an actual special book for that. It is my first own venture of this type I promise I'll do my best to be up to scratch. I'm here to work with you and the council.

Sent from [Outlook for iOS](#)

Lavine Miller-Johnson

From: Licensing
Sent: 02 August 2023 16:27
To: Lavine Miller-Johnson
Subject: FW: Additional evidence Wicked Fish

From: MARK.J.Perry [REDACTED]
Sent: 02 August 2023 8:35 AM
To: Licensing <Licensing@towerhamlets.gov.uk>; Farzana Chowdhury <[REDACTED]>
Subject: Additional evidence Wicked Fish

Dear Licensing, Farzana,

Please can the below e-mail be added to Police evidence re Wicked Fish review.

Kind Regards

Mark



PC Mark Perry
Central East Licensing Unit
Metropolitan Police Service (MPS)



Subject: Licensing Tasking 28/29th July 2023

Hi All,

I just wanted to pass on my appreciation for your hard work on the tasking event this weekend targeting NOx and unlicensed food stalls. Our aim was to disrupt the sale of NOx, unlicensed food vendors as well as by being there prevent VAWG offences, violent crimes and drugs/asb. I'd say we achieved that aim and then some.

There were some learning points and take away thoughts for myself and from a licensing perspective, and hopefully we can build on that and improve next time but overall I think it was definitely a success at causing a disruption in these areas.

If you could pass my thanks on to the other THEO's that were on for the night, CCTV officers and also the licensing team at Tower Hamlets.

I'm keen to organise more tasking's around licensed premises/venues in the future so any feedback/ideas feel free to let me know. If anyone has or wants to submit any crimints relating to the events of the night please send me through the references for future tasking's or operations.

Below are the returns overall. Pictures courtesy of the PTF and photographer.

FPN NOX/Traders- 11

ASB warning - 6 ASBW

40 NOX cylinders sized.

2 Food stalls were shut down and issued fines at Hackney Wick which subsequently significantly lowered the crowd over both nights and lowered the demand/crowd for NOx.

1 Group selling NOx were disrupted and the canisters seized.

1 Dispersal issued

Several people dispersed with the warning of a dispersal

2 Arrests – 1 For Nox/Sec 50 and 1 for Drink/Drug Drive.

Also proud to state we didn't end up with any hot dog stalls or food trucks inside Bethnal Green by the end of the night! Not a fun thing to transport!

← Tweet



Tower Hamlets Police
@MPSTowerHam



#PartnershipTaskForce officers have been busy working through the night all weekend supporting @TowerHamletsNow THEOs and licensing officers deal with Nox related ASB. Night time economy venues and residential areas were both targeted





Tower Hamlets Police @MPSTowerHam · 2m

...

Unlicensed street traders and people breaching the PSPO were all dealt with by way of Fixed Penalty Notices and large quantities of Nitrous Oxide were seized. 1 male was arrested and a potential anti social UME was also shut down in Shoreditch



Kind Regards,

NOTICE - This email and any attachments are solely for the intended recipient and may be confidential. If you have received this email in error, please notify the sender and delete it from your system. Do not use, copy or disclose the information contained in this email or in any attachment without the permission of the sender. Metropolitan Police Service (MPS) communication systems are monitored to the extent permitted by law and any email and/or attachments may be read by monitoring staff. Only specified personnel are authorised to conclude binding agreements on behalf of the MPS by email and no responsibility is accepted for unauthorised agreements reached with other personnel. While reasonable precautions have been taken to ensure no viruses are present in this email, its security and that of any attachments cannot be guaranteed.



This form should be completed and forwarded to:

London Borough of Tower Hamlets
Licensing Section, Mulberry Place, 5 Clove Crescent, London E14 2BG

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I PC Mark Perry 1748CE..... *(Insert name of applicant)*
apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description	
Wicked Fish White Post Lane	
Post town	Post code (if known)
London	E9 5EN

Name of premises licence holder or club holding club premises certificate (if known)

Number of premises licence or club

premises certificate (if known)

Part 2 - Applicant details

Please tick yes

I am

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal
address if
different from
premises
address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Central East Police Licensing,
Licensing Office, 1st Floor Stoke Newington Police Station,
Stoke Newington High Street
N16 8DS

Telephone number (if any)

E-mail (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|-----------------------------------------|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note1)

Central East Police Licensing formally seek the review and revocation of the premises license for Wicked Fish, Queens Yard, White Post Lane, Hackney Wick E9 5EN. This review is on the grounds of preventing Crime and Disorder, and Public Nuisance.

The owners and management of this venue have continuously showed nothing but contempt for their responsibilities under the Licensing Act by continuously trading past their hours, behaviour that has gone on since before they received their premises license in December 2021. They have continued trading past their hours on the weekend of the 25th and 26th February 2023, days after they had admitted to Police they had been trading past their hours and told by Police that we were seeking the review and revocation of their license.

Following the tragic murder in Queens Yard on the 11th February 2023 CCTV was reviewed as part of the investigation. This showed that Wicked Fish was trading past its hours with customers using the venue at 5 am, which is after the murder had taken place, and an hour after their license says they should have stopped trading.

Following this, PC Rice and I arranged to meet with the owner Mr Michal Gasior on the 22nd February to go through the CCTV from the venue for the previous month to see if Wicked Fish had consistently been trading past its hours. We also wanted to express our concern that the venues very late hours were preventing people from dispersing from the area, and

increasing the likelihood of crime and disorder taking place.

When we met Mr Gasior and started looking at the CCTV it showed the venue trading past 4:00 am, sometimes until 5am and possibly beyond. When we put this to Mr Gasior that the premises license shows that, he should have stopped trading at 4am he said that he was confused as his licensing consultant said that he could trade until 4:30am.

I pointed out to Mr Gasior that this simply is not credible as I have had spoken to him in the past about his trading hours, and that as he had not only applied for his license but subsequent variations to that license he knew full well what his trading hours are. If he had any doubt what so ever it was written very clearly on his license that terminal trading time was 4am.

In Police Evidence 1 you will see a Warning letter from October 2021 from Tower Hamlets Council that in simple terms warns Mr Gasior that he has been trading without a license.

In Police Evidence 2 you will see an e-mail conversation from Kathy Driver from Tower Hamlets Council Licensing and Mr Gasior from October 2021 where he admits to trading past his hours and promises not to do it again.

Mr Gasior then said that it was an honest mistake and that he had he had been trading until 4:30 am ever since he had received his license with extended hours in April 2022, but that he closed at 4:30. While looking at the premises SIA security signing in book I noticed that the security staff were not booking off until 5am. When I queried this with Mr Gasior he replied that they were there to help with dispersal of customers.

When PC Rice and I continued to check the CCTV we found that Wicked Fish had indeed been trading until 5am. When we asked Mr Gasior about why we could now see him

trading to 5am, he told us that sometimes he can't see his clock and he loses track of time. This is simply not believable, nor acceptable.

We were only able to check CCTV from 1 month from the 28th January to the 26th February 2023 during our visit. We checked the Saturday and Sunday mornings between around 4 am and 5 am. Every weekend we checked we found that Wicked Fish was open and trading past its hours. Please see description below.

DETAILS OF BREACHES

Saturday 28th January,

The premises was open past 5am, and extremely crowded.

Sunday 29th January,

The premises was open past 5am.

Saturday 4th February,

The premises was trading until 5am. Two males can be seen dancing topless next to security.

Sunday 5th February,

The premises closed at 4:57am

Saturday 11th February,

Still serving at 5am. Male customer of Wicked Fish seen preparing Cannabis joint while sat at venues tables.

Sunday 12th February

Closed following murder

Saturday 25th February

Still serving at 4:20am with people loitering around until 5am.

Sunday 26th February

Serving after 4 am.

Given that this is just a look at CCTV from 1 month, given Mr Gasior has admitted that he has been trading past his hours since April 2022 we believe that Wicket Fish has been continually opening past its hours since before it got its license.

The other concern we have is that the venue being open so late has prevented customers from the Queens Yard area from dispersing quickly. We know from experience that there is more likely to be alcohol related crime and disorder when customers who have been drinking do not leave the area quickly. As customers consume more alcohol we know that their decision making becomes more impaired and as a result they are more likely to become involved in alcohol related crime and disorder. From speaking to people in the area it has become clear that Wicked Fish being able to operate so late is impacting people from the area, and is increasing the risk of crime and disorder.

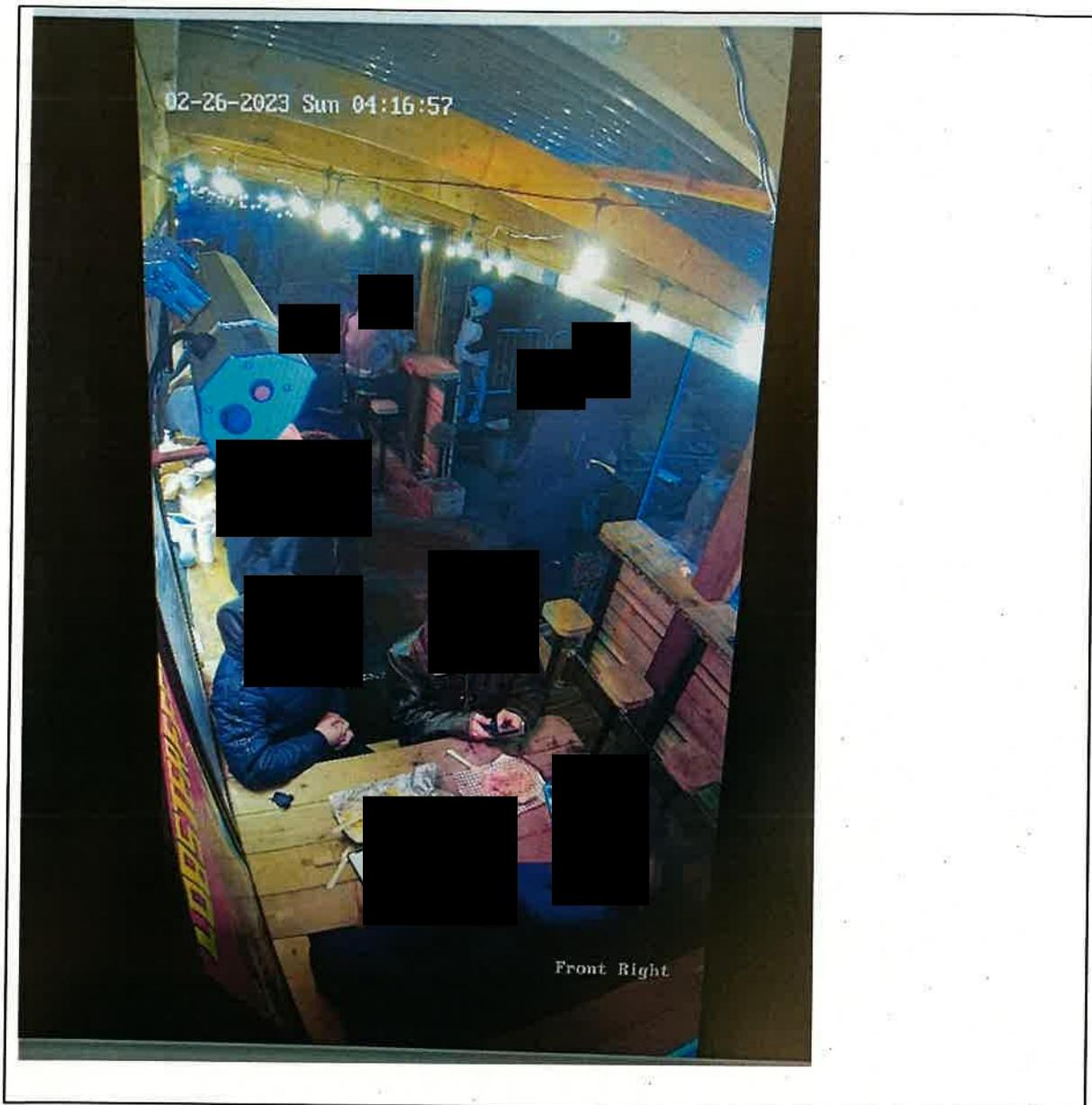
Given that Hackney Wick is a vibrant and growing night time economy hotspot and an increasingly residential area, due to the large housing developments being built. It is essential that customers of the night time economy leave the area quickly, both for their own safety, and also to prevent nuisance to local residents. This is something we say cannot happen while this venue is open so late.

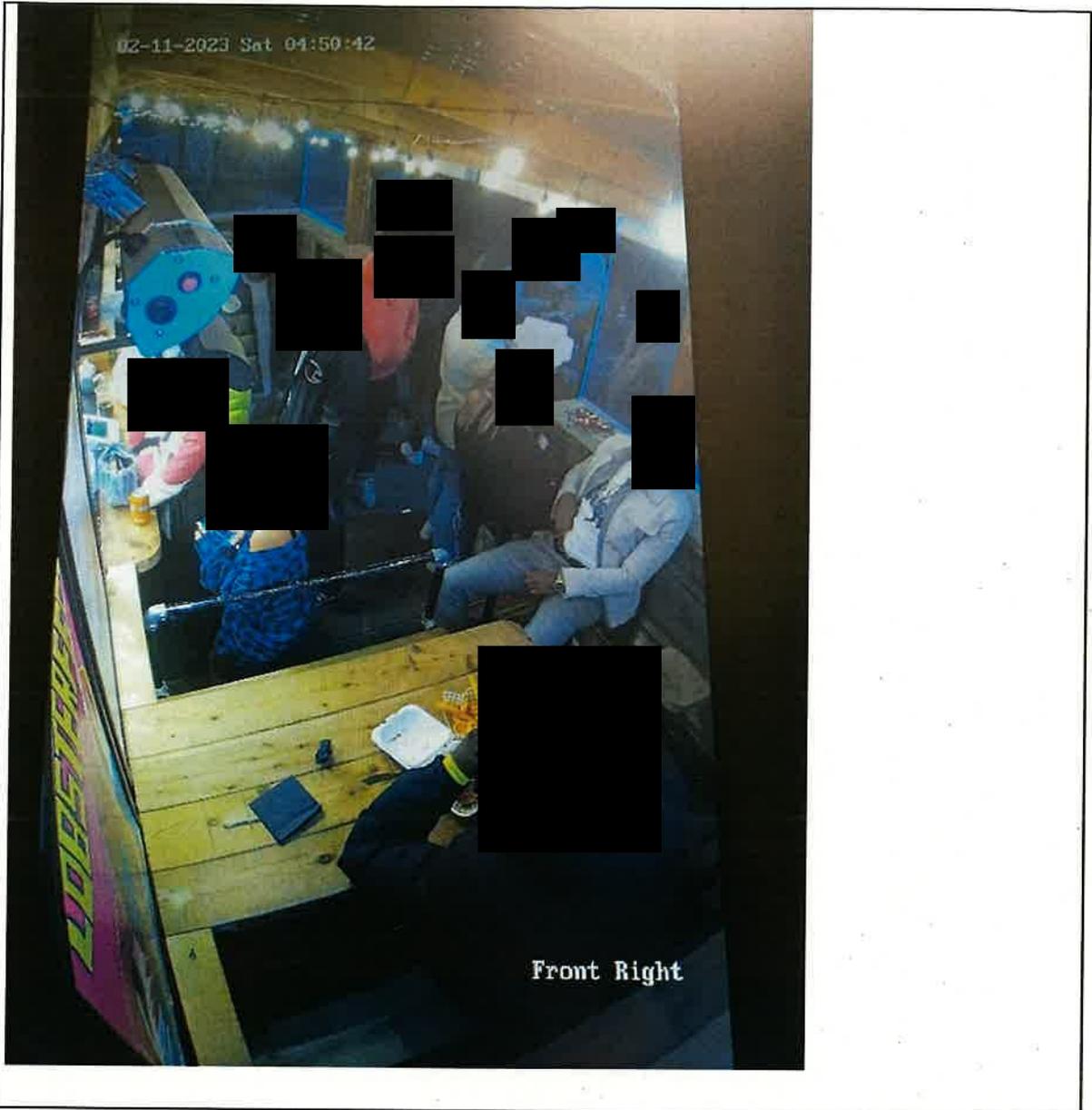
In conclusion we do not see any alternative for this committee but to revoke the premises license of Wicked Fish. Its owner has shown a total lack of respect for his responsibilities under the licensing act, by continually ignoring his licensing hours and trading to whatever time, he wants. This is despite warning from both the Police and the local authority. If the premises are failing to do the basic things like abiding by their licensed opening hours, then we can have no faith they will follow any new conditions this committee set to impose.

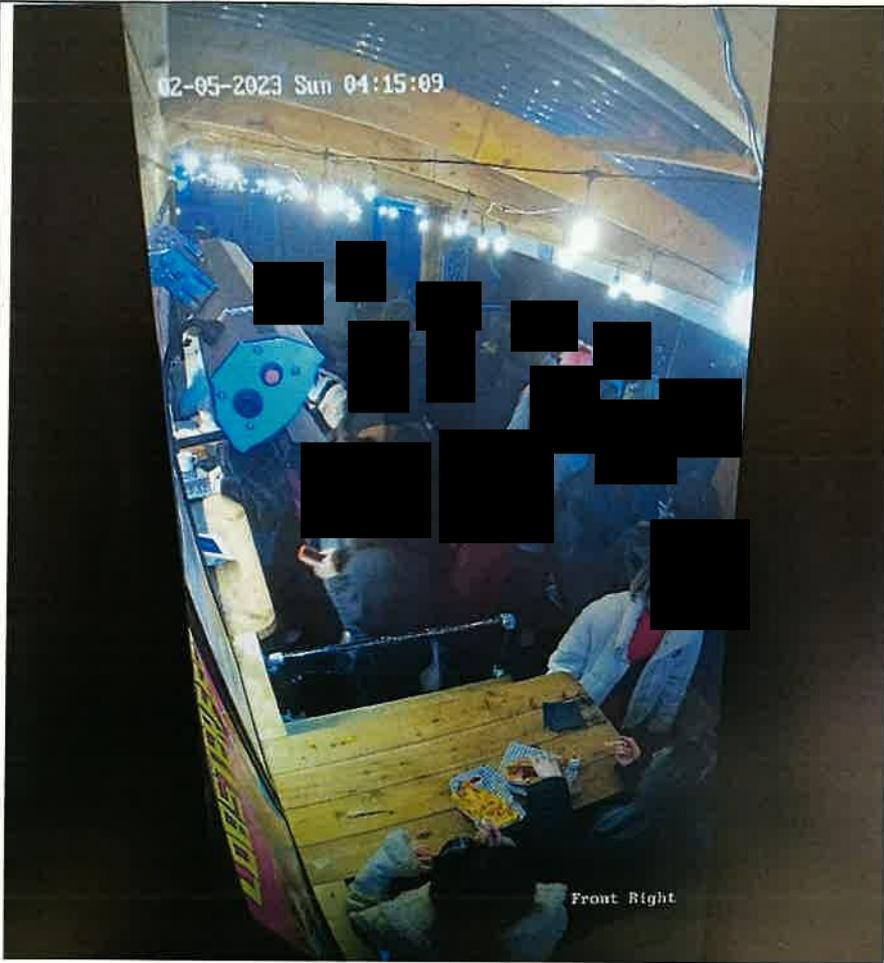
In the one month worth of CCTV we have seen we have seen no effort made by Wicked Fish management or staff to control their customers, which is demonstrated by customers openly preparing a cannabis joint while seated at their tables. Nor have we seen any effort to get their customers to leave the area. We believe if we viewed more CCTV we would find more failures by Wicked Fish.

We therefore seek the revocation of the premises license.

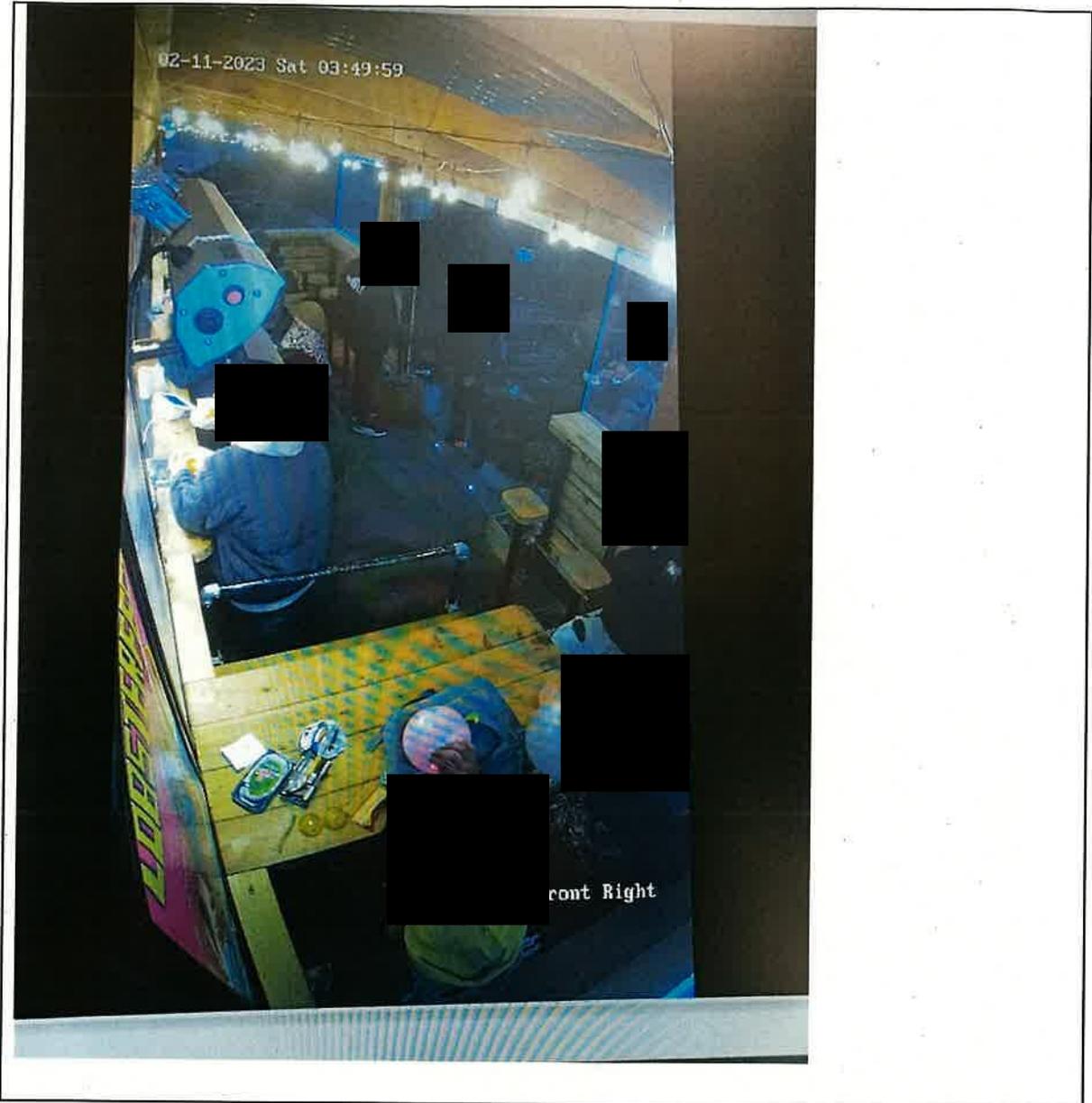
Photographs from Venue CCTV Below

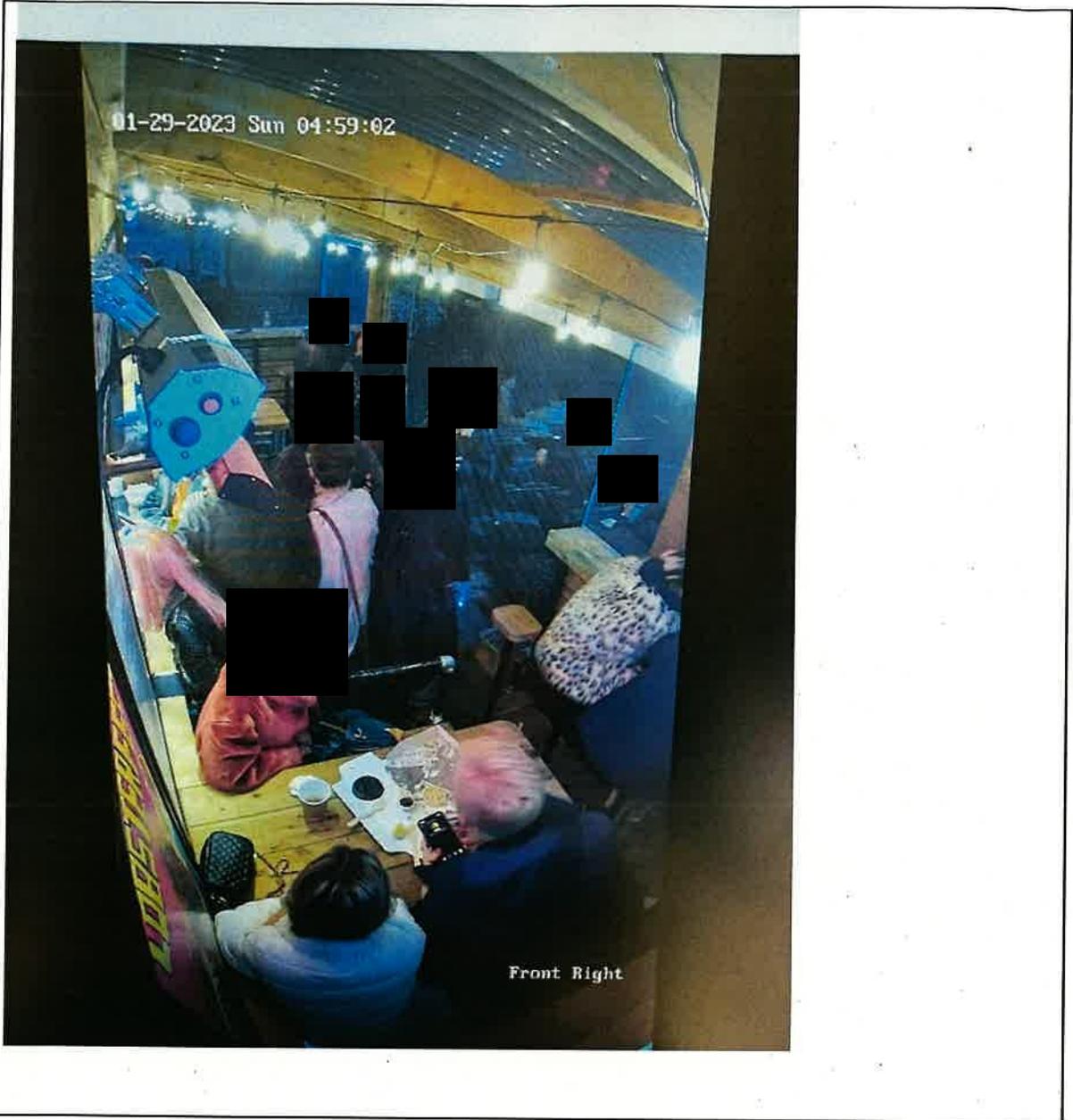


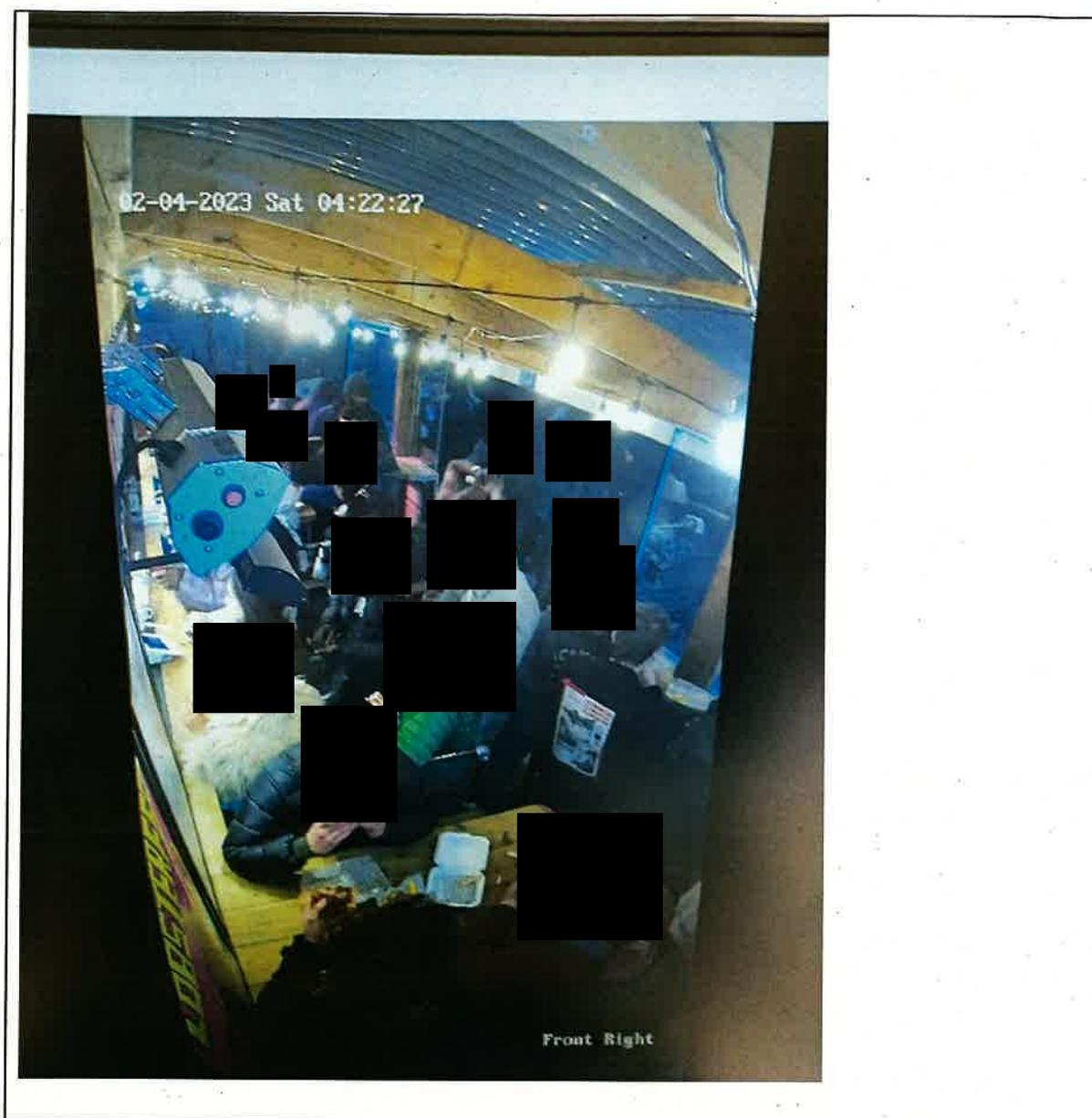












Please provide as much information as possible to support the application (please read guidance note 2)

Have you made an application for review relating to this premises before

Please tick ? yes

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate



I understand that if I do not comply with the above requirements my application will be rejected



IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

[Redacted Signature]

Date

7th March 2022

Capacity

Police Licensing Officer

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

- 1 The ground(s) for review must be based on one of the licensing objectives.
- 2 Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- 3 The application form must be signed.
- 4 An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 5 This is the address which we shall use to correspond with you about this application.

Appendix 8



By Email:
Licensing Authority:
licensing@towerhamlets.gov.uk

CC:



Place Directorate
Public Realm

Head of Environmental Health
& Trading Standards: David
Tolley

Eng [redacted] in Ali
Tel: [redacted]

www.towerhamlets.gov.uk

25th May 2023

My reference: EHTS/LIC/158937/MA

Dear Licensing Authority,

Licensing Act 2003

Variation of premises licence application: Wicked Fish, Queens Yard, White Post Lane,
London E9 5EN

The Licensing Authority (acting a Responsible Authority) is making a representation in relation to the above application under the following licensing objectives:

- *the prevention of crime and disorder and*
- *the prevention of public nuisance*

The is currently a review application being that has triggered by Met Police on the 7th March 2023. I attached a copy of my representation in support of that review. I have looked at the history of the premises again and the following additional information is registered on the Council's system Civica Authority Protection (APP):

- **24th March 2023** – An applicant named Adam Jefferies attempted to apply for a TEN for “*selling beer at an outside bar near the Wicked Fish food venue. This is to coincide with the Risen Festival in Hackney Wick. Beer will be sold to customers in Queen's Yard.*” This was to have The sale by retail of alcohol, from 12:00 hr on 01/04/2023 to 02:00 hrs on 02/04/2023. However, that application was rejected due to 10 working days notice not being given.

A premises licence is not required between 05:00 hours to 23:00 hours for the provision of late night refreshment. This will mean, if the hours are granted the premises can have the provision of hot food and hot drinks for 24 hours on Friday and Saturday.



The best of London in one borough

Tower Hamlets Council
Tower Hamlets Town Hall
160 Whitechapel Road
London
E1 1BJ



Based on the Police review, the Licensing Authority remains concerned about the numerous occasions where the premises has traded beyond the times permitted on the licence despite previous warnings and reminders. On a balance of probability, if the application is granted the licence holder is unlikely to comply with the Licensing Act 2003.

Yours sincerely



Mohshin Ali

Senior Licensing Officer (acting as a Responsible Authority)



By Email:

Licensing Authority:
licensing@towerhamlets.gov.uk

**Place Directorate
Public Realm**

**Head of Environmental Health and
Trading Standards: David Tolley**

Environmental Health & Trading Standards
Licensing & Safety Team
4th Floor, Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

11th April 2023

Your reference
My reference: LIC/157810/MA

Tel: [REDACTED]
Enquiries to: **Mohshin Ali**
Email: [REDACTED]

Dear Licensing Authority,

www.towerhamlets.gov.uk

Licensing Act 2003

Review of premises licence application: Wicked Fish, Queens Yard, White Post Lane,
London E9 5EN

The Licensing Authority (acting a Responsible Authority) is making a representation in relation to the above application under the following licensing objectives:

- *the prevention of crime and disorder and*
- *the prevention of public nuisance*

The Licensing Authority (RA) supports the review triggered by Met Police on the 7th March 2023 as the licensing objectives have been undermined. In addition, I have looked at the history of the premises and the following are registered on the Council's system Civica Authority Protection (APP):

- **29th September 2021** – LA received a TEN application for the 8-10 October 2023. As 10 clear working days notice was not given the TEN was rejected and Mr Gasior was notified (including email) on the 1st October 2021.
- **14th October 2021** – LA received had been notified by the Police that on a number of occasions the premises had been warned regarding serving hot food/hot drinks beyond 11pm without an authorisation. A warning letter was sent to Mr Gasior (including email) on the 14th October 2021 as detailed in the Police review.

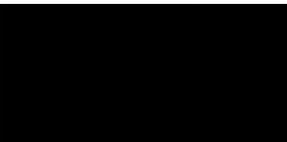
Mr Gasior responded and stated *"I might have stayed a tad open longer because there was a massive crowd ordering food from me due to festival but we didn't serve anyone last midnight. Moving forward I'm in the process of applying for late night licence and in the meantime I'll do my best to control the queue better"*.

Mr Gasior was again reminded to *cease any supply/serving of hot or hot drinks by 11pm.*

- **20th October 2021** – New premises licence application received and was not objected to by the LA in order to work with the premises as they had showed compliance when Officers visited on the 29th October 2021. The LA also did not make a representation to the most recent variation application as there were no issues according to the LA's records

Having seen the Police review, the Licensing Authority is concerned about the numerous occasions where the premises has traded beyond the times permitted on the licence despite previous warnings and reminders. In order to promote that licensing objectives, the Police are requesting the revocation of the licence and the Licensing Authority is in support of this.

Yours faithfully,



Mohshin Ali

Senior Licensing Officer (Acting as a Responsible Authority)

Appendix 9

Anti-Social Behaviour on the Premises

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Section 6 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

Guidance Issued under Section 182 of the Licensing Act 2003

The pool of conditions, adopted by the Council is recommended (Annexe D).

The key role of the Police and SIA is acknowledged (2.1-2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder

and their staff or agents, but can directly impact on the behaviour of customers in the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3 - 2.6).

The Guidance recognises working with Home Office Immigration Enforcement in the prevention of immigration crime. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.23 – 10.24).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

- The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder

Appendix 10

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

Egress only is referred to-if necessary access can be added or substituted in.

General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 10 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 10.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 15.1**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 15.5**)

The Council has adopted a set of framework hours (**See 15.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the prevention of Public Nuisance. (**See Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.15).

Licence conditions should not duplicate other legislation (1.16).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.19)

Measures can include ensuring the safe departure of customers, these can include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.19) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Appendix 11

Licensing Policy, updated November 2018

Crime and Disorder

- 7.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems and to store prescribed information.
- 7.2 When addressing crime and disorder the applicant should initially identify any particular issues (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder licensing objective. Such steps as are required to deal with these identified issues should be included within the applications operating schedule. Where the Metropolitan Police, acting as a responsible authority, makes recommendations in respect of an application relating to the licensing objectives the Licensing Authority would expect the applicant to incorporate these into their operating schedule.
- 7.3 Applicants are recommended to seek advice from Council Officers and the Police as well as taking into account, as appropriate, local planning and transport policies, with tourism, cultural and crime prevention strategies, when preparing their plans and Schedules.
- 7.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has duties under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough and to share prescribed information.
- 7.5 The Licensing Authority, if its discretion is engaged, will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder given in the Secretary of State's Guidance.
- 7.6 **CCTV** - The Licensing Authority, if its discretion is engaged, will attach conditions to licences, as appropriate where the conditions reflect local crime prevention strategies, for example the provision of closed circuit television cameras.

7.7 **Touting** – This is soliciting for custom. There has been a historic problem with Touting in the borough, mainly in relation to restaurants, and as such in 2006 the Council introduced a byelaw under Section 235 of the Local Government Act 1972 for the good rule and government of the London Borough of Tower Hamlets and for the prevention and suppression of nuisances.

As a result, in relation to premises where there is intelligence that touting is, or has been carried out, the Licensing Authority, where its discretion is engaged will insert a standard condition that prohibits 'touting' as follows:-

- 1) No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan.(marked as Appendix -)
- 2) Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.

7.8 **Responsible Drinking** - The Licensing Authority expects alcohol to be promoted in a responsible way in the Borough. This should incorporate relevant industry standards, such as the Portman Group Code of Practice. Where appropriate and proportionate, if its discretion is engaged, the Licensing Authority will apply conditions to ensure responsible drinking. The Licensing Authority also recognises the positive contribution to best practice that "Pubwatch" and other similar schemes can make in promoting the licensing objectives and is committed to working with them.

Model Pool Conditions can be found in the Secretary of State's Guidance.

7.9 **Criminal Activity** - There is certain criminal activity that may arise in connection with licensed premises which the Licensing Authority will treat particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;

- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

The Secretary State's Guidance states that it is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and this Licensing Authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence, even in the first instance, should be seriously considered.

7.10 In particular the Licensing Authority is mindful of the Secretary of State's Guidance "Reviews arising in connection with crime".

7.11 From 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) will need to ensure that the UK wholesalers that they buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique Registration Number (URN) against the HMRC online database which will be available from April 2017. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face criminal prosecution and their alcohol stock may be seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses. Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC. Further information may be found at: <https://www.gov.uk/guidance/the-alcohol-wholesaler-registration-scheme-awrs>.

Smuggled goods

7.12 The Licensing Authority will exercise its discretion to add a standard condition as follows:-

- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers other than from established traders who provide full receipts at the time of delivery to provide traceability.
- 2) The premises licence holder shall ensure that all receipts for goods bought include the following details:
 - i. Seller's name and address
 - ii. Seller's company details, if applicable
 - iii. Seller's VAT details, if applicable
 - iv. Vehicle registration detail, if applicable
- 3) Legible copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request.
- 4) The trader shall obtain and use a UV detection device to verify that duty stamps are valid.
- 5) Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.

Olympic Park – Football Ground

7.13 Premises where Police intelligence shows that football supporters congregate within the borough should consider in their application form the following conditions:

- 1) On Match Days for premises licensed for the supply of alcohol for consumption on the premises:
 - a) Drinks shall only be supplied in polypropylene or similar plastic and all bottled drinks shall be poured into such drinking vessels before being handed to the customer. These should be made of recyclable materials.
 - b) Registered door staff shall be employed to control the entry and exits to the premises and to manage any licensed outside area(s).

Appendix 12

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 4.15 and 4.16 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 6.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Bottle Bans
- Plastic containers
- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 8 of the Licensing Policy**).

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003

The key role of the Police is acknowledged (2.1).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

There is also guidance issued around public nuisance (2.15 – 2.21).

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.21).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (14.13).

Other Legislation

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 13

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one of more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.

Appendix 14

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows:

- Monday to Thursday, from 06:00 hrs to 23:30 hrs
- Friday and Saturday, from 06:00 hrs to 00:00 hrs (midnight)
- Sunday, from 06:00 hrs to 22:30 hrs

(see 14.8 of the Licensing Policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicant's proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(See 14.9 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates